



U.S. DEPARTMENT of STATE

Oman

Country Reports on Human Rights Practices - [2003](#)

Released by the Bureau of Democracy, Human Rights, and Labor
February 25, 2004

The Sultanate of Oman is a monarchy ruled by Sultan Qaboos Al Bu Sa'id, who acceded to the throne in 1970. It has no political parties; however, the Consultative Council (Majlis Al-Shura) is a representative institution whose members are elected directly by voters. Unlike in previous years in which the Government selected voters, members are elected directly by voters; however, the Consultative Council, which may recommend changes to new laws, has no binding legislative powers. The Sultan, along with various tribal leaders, retains firm control over all important policy issues and retains final authority over the election process. The October elections were generally free and fair and approximately 74 percent of registered voters (194,000 persons) voted to elect the 83 seats in the Consultative Council. The Sultan also appointed 57 members for the State Council (Majlis al Dawla), which, with the Consultative Council, forms the bicameral body known as the Majlis Oman (Council of Oman). The Basic Charter provides for an independent judiciary; however, the Sultan had the right to overturn judicial decisions on appeal.

The Royal Office controls internal and external security and coordinates all intelligence and security policies. The Internal Security Service investigates all matters related to internal security. The Royal Oman Police (ROP), whose head also has cabinet status, performs regular police duties, provides security at airports, serves as the country's immigration agency, and maintains a small coast guard. The Government maintained effective control of the security forces. There were no reports that security forces committed human rights abuses.

The country had a population of approximately 2.3 million, including approximately 550,000 foreigners. Based on this year's national census, the rate of population growth was 1.9 percent. Oil revenues were used to improve public access to health care, education, and social services for citizens. The economy was mixed, with significant government participation in industry, transportation, and communications. The country's Basic Charter (or the Basic Law) provides for many basic human rights; however, while implementing legislation has not been enacted, the responsibilities delineated in the Charter became effective when it was enacted in 1996. In cases where there is no implementing legislation, judges render judgment according to the principles of the Basic Charter.

Although many problems remained, the Government's respect for human rights improved in a few areas. Citizens did not have the right to change their government. Police did not always follow procedures regarding arrest and detention, and in some instances police handling of arrest and detention constituted incommunicado detention. In the past, there were instances in which due process was denied to persons tried in state security courts. Citizens were required to obtain permission from the Government to marry foreigners from outside the countries of the Gulf Cooperation Council. The Government restricted freedom of expression and association. The Government must approve the establishment of all associations and prohibited human rights organizations. Despite legislated equality, gender discrimination remained a problem, largely due to social and cultural factors. A new labor law eased restrictions on worker rights. Foreign workers in private firms at times were placed in situations amounting to forced labor, and abuse of foreign domestic servants was a problem.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

There were no reports of the arbitrary or unlawful deprivation of life committed by the Government or its agents.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Basic Charter prohibits such practices, and there were no reports of torture during the year.

Judges have the right to order investigations of allegations of mistreatment. The Basic Charter prohibits "physical or mental torture" and stipulates that all confessions obtained by such methods are to be considered null and void.

During the year, the police used physical force to control demonstrations, and detained some persons. In March, police used a flash-bang grenade to help disperse demonstrators protesting the war in Iraq; however there were no reports of excessive use of force (see Section 2.b.). Prison conditions generally appeared to meet international standards. The Government permitted the independent monitoring of prison conditions; however, there were no such visits during the year. The Government (or other group) continued to severely restrict access to some prisoners. There were some reports of occasional overcrowding in special facilities for deportees. There were separate facilities for men and women as well as separate facilities for juveniles and adults. There is no information whether conditions vary for women from those of men. Security prisoners were held separately and in different conditions from regular prisoners. Pretrial detainees also were held separately.

d. Arbitrary Arrest, Detention, or Exile

The law prohibits arbitrary arrest and detention; however, the police are not required to obtain warrants prior to making an arrest. There were no reports of arbitrary detention. Within 24 hours of arrest, the authorities must obtain court orders to hold suspects in pretrial detention, and the police are required to file charges or request a magistrate judge to order continued detention; however, in practice the police did not always follow these procedures. Judges may order detentions for 14 days to allow investigation and may grant extensions if necessary. There was a functioning system of bail.

Police handling of arrests and detentions constituted incommunicado detention in some instances. The police did not always notify a detainee's family or, in the case of a foreign worker, the worker's sponsor of the detention. At times notification was made just prior to the detainee's release. The authorities posted the previous week's trial results (including the date of the trial, the name of the accused, the claim, and the sentence) near the magistrate court building. The police did not always permit attorneys and family members to visit detainees. Judges occasionally interceded to ensure that security officials allowed such visits.

The Basic Charter prohibits exile, and there were no reported cases during the year.

e. Denial of Fair Public Trial

The Basic Charter provides for an independent judiciary; however, the various courts were subordinate to the Sultan and subject to his influence in practice. The Sultan appoints all judges, who serve at his discretion through Royal Decree. The Sultan can act as a court of final appeal and interceded in cases, such as those concerning national security. However, there were no reported instances in which the Sultan overturned a decision of the magistrate courts.

The court system is comprised of the Supreme Court, an appeals court, primary courts (one located in each region), and, within the primary courts, divisional courts. Within each of the courts, there are divisions to consider commercial, civil, penal, labor, taxation, general, and personal status cases (the latter under Shari'a). The General Prosecutor's Office operates independently within the Ministry of Justice. An Administrative Court under the authority of the Diwan or Royal Court reviews complaints against the misuse of governmental authority. During the year, the court ruled against the Government in several cases brought by private parties and was increasingly used as a check against governmental violations of the law.

The Ministry of Justice administered all courts. The judiciary comprised the magistrate courts, which adjudicated misdemeanors and criminal matters, and the Shari'a (Islamic law) courts, which adjudicated personal status cases such as divorce and inheritance. The Labor Welfare Board attempted to mediate disputes between employers and employees. If a settlement cannot be reached, the parties may seek recourse in the appropriate courts. The courts of general jurisdiction may hear cases involving rent disputes.

Criminal cases are heard by primary courts, appeals courts, and the Supreme Court. Regional courts of first instance handled misdemeanor cases, which were heard by individual judges. All felonies were adjudicated at the Central Magistrate Court by a panel made up of the President of the Magistrate Court and two judges. All rulings of the felony panel were final except for those in which the defendant was sentenced to death. The death penalty rarely was used, except in serious felonies such as murder, and the Sultan must approve death sentences. There were no reported executions during the year.

The Criminal Appeals Panel also was presided over by the President of the Magistrate Court and included the court's vice president and two judges. This panel heard appeals of rulings made by all courts of first instance. In the past, specially trained prosecutors from the Royal Oman Police (ROP), all of whom were trained as police officers as well as prosecutors, carried out the role of public prosecutor in criminal cases; however, prosecutors operate independently of the ROP.

A Royal Decree established criminal rules of procedure for criminal cases before the court, providing rules of evidence, procedures for entering cases into the criminal system, and detailing provisions for a public trial. In criminal cases, the police provided defendants with the written charges against them; defendants were presumed innocent and have the right to present

evidence and confront witnesses. The prosecution and the defense direct questions to witnesses through the judge, who was usually the only person to question witnesses in court. The Basic Charter provides for the presumption of innocence and the right to counsel, ensuring for those financially unable the means to legal defense. Judges often pronounced the verdict and sentence within 1 day of the completion of a trial. Those convicted may appeal jail sentences longer than 3 months and fines over the equivalent of \$1,250 (480 rials) to a three-judge panel.

The State Security Court tries cases involving national security and criminal matters that the Government decides require expeditious or especially sensitive handling. While an institution such as the Security Court has functioned on an ad hoc basis in past years, two royal decrees during the year formalized the Court in law, providing details on its jurisdiction, composition, and procedures. The newly announced procedures mirror closely those applicable elsewhere in the criminal system. No case has yet been referred to the State Security Court, nor had its informal predecessor institution been used in recent years. The Sultan has exercised his powers of extending leniency, including in political cases.

The Ministry of Justice administers Shari'a courts and applies Shari'a law as interpreted under the Ibadhi school of Islamic jurisprudence. Courts of first instance were located in each of the 59 wilayats, or governorates, and a single judge presided over them. Appeals of the rulings of the courts of first instance involving prison sentences of 2 weeks or more or fines greater than \$260 (100 rials) must be brought within 1 month before the Shari'a Court of Appeals. Panels of three judges heard appeals cases. Court of Appeals rulings themselves may be appealed, within a 1-month period, to the Supreme Committee for Complaints, which was composed of four members, including the Minister of Justice and the Grand Mufti of the Sultanate. Shari'a courts handle all family law cases.

There were no reports of political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The law prohibits such actions; however, the law does not require police to obtain search warrants. Police reportedly do obtain warrants; however, warrants are issued by a public prosecutor and not the court. In some cases, search and arrest warrants may be issued verbally, but must be followed up with a paper copy. There was a widely held view that the Government eavesdropped on both oral and written communications. Citizens were required to obtain permission from the Ministry of Interior to marry foreigners, except nationals of the GCC countries; however, permission was not granted automatically. Delays or denial of permission resulted in secret marriages within the country. Marriages in foreign countries may lead to denial of entry of the foreign spouse into the country and prevent a legitimate child from claiming citizenship rights.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Basic Charter provides for freedom of speech and of the press; however, the Government generally restricted these rights in practice. The law prohibits criticism of the Sultan in any form or medium. The authorities tolerated criticism of government officials and agencies, particularly on the Internet, but such criticism rarely received media coverage. In practice, during the period covered by this report, there appeared to be an increasing level of tolerance in the media. Journalists and writers generally exercised self-censorship to avoid government harassment.

The Press and Publication Law authorizes the Government to censor all domestic and imported publications. Ministry of Information censors may act against any material regarded as politically, culturally, or sexually offensive. Editorials generally were consistent with the Government's views, although the authorities tolerated some criticism regarding foreign affairs issues. The Government discouraged in-depth reporting on controversial domestic issues and sought to influence privately owned dailies and periodicals by subsidizing their operating costs. There were five daily newspapers, three in Arabic and two in English. Arabic language dailies "Al-Watan" and "Shabiba" as well as English daily "Times of Oman" were privately owned. There are 32 magazines published in the Sultanate, according to the Omani News Agency.

In October, journalists announced the creation of the "Gulf Press Freedom Organization" (GPFO) which attempts to promote and defend a free press and human rights, and aid journalistic professional development in the Gulf and Yemen.

Customs officials confiscated videocassette tapes and erased offensive material, despite the lack of published guidelines regarding what was considered offensive. Such tapes may or may not be returned to their owners. Government censorship decisions were changed periodically without stated reason. There was a general perception that the confiscation of books and tapes at the border from private individuals and restrictions on popular novels eased somewhat; however, it reportedly has become more difficult to obtain permission to distribute books in the local market that censors decide have factual errors regarding the country (including outdated maps).

The Government owned four local radio stations and two local television stations. In general, they did not air any politically controversial material, although twice during the period covered by this report state television was allowed to broadcast public question and answer sessions between ministers and the Majlis Al-Shura. The Government did not allow the establishment of privately owned radio and television companies. The availability of satellite dishes has made foreign broadcast information accessible to those with the financial resources to obtain access to the dishes.

The appropriate government authority, the police, or a relevant ministry must approve public cultural events, including plays, concerts, lectures, and seminars. Most organizations avoided controversial issues because of fears that the authorities may cancel their events.

The Government, through its national telecommunications company, made Internet access available for a charge to citizens and foreign residents. However, it blocked certain web sites that it considered pornographic or politically sensitive. As use of the Internet to express views normally not permitted in other media grew, the Government took additional measures to monitor and censor it. The Government placed warnings on web sites that criticism of the Sultan or personal criticism of government officials was likely to be censored and could lead to police questioning, which ultimately caused some to practice self-censorship.

The Government restricted academic freedom, particularly regarding publishing or discussing controversial matters, such as politics. Professors may be dismissed for going beyond acceptable boundaries.

b. Freedom of Peaceful Assembly and Association

The Basic Charter provides for freedom of assembly; however, all public gatherings require government approval. The authorities, with rare exceptions, enforced this requirement. In March, public demonstrations against U.S. policies in the Middle East took place in Muscat. Most demonstrators were young men, and most demonstrations were peaceful. In at least one instance, police used a non-lethal flash-bang grenade and physical force to control demonstrations and detained some persons.

The Basic Charter provides for freedom of association; however, the Government limited it in practice. The law states that the Ministry of Social Development must approve the establishment of all organizations and their by-laws; however, some groups, such as certain social groups, were allowed to function without formal registration. The Government used licensing to control the political environment and did not license groups regarded as a threat to the predominant social and political views or the interests of the Sultanate. Formal registration of foreign associations was limited to a maximum of one association for any nationality.

The Basic Charter allows for the formation of nongovernmental organizations (NGOs) providing services to women, children, and the elderly. There are 10 NGOs currently registered (see Section 4). There are 38 government-approved women's associations, some of which received limited government funding or in-kind support, while others were self-funded through membership fees, tuition fees for pre-schools, donations, and product sales.

c. Freedom of Religion

The Basic Law protects the freedom to practice religious rites, in accordance with tradition, provided that their practices do not breach public order, and the Government generally respected this right in practice; however, there were some restrictions. The Basic Charter also provides that Islam is the State religion and that Shari'a is the source of all legislation. The Government permits worship by non-Muslim residents; however, non-Muslim religious organizations must be registered with the Government, and the Government restricts some of their activities.

The Basic Charter prohibits discrimination against individuals on the basis of religion or religious group. During the period covered by this report, the Ministry of Religious Affairs and Awqaf launched a new periodical entitled "Tolerance." There were no laws prohibiting discrimination against religious minorities. Some Shi'a occupied prominent positions in both the private and public sectors, although much less so in the public sector. For example, the Ministers of National Economy (also de facto Minister of Finance), Commerce and Industry, and Health are Shi'a.

Most citizens are Ibadhi or Sunni Muslims, but there is also a minority of Shi'a Muslims. Non-Muslims were free to worship at churches and temples built on land donated by the Sultan. There were many Christian denominations, which utilized two plots of donated land, on which two Catholic and two Protestant churches were built. Hindu temples also existed on government-provided land. Land was made available to Catholic and Protestant missions to provide places of worship and ministry to resident Christians in Sohar and Salalah.

The Government prohibited non-Muslims from proselytizing. It also prohibited non-Muslim groups from publishing religious material, although religious material printed abroad could be brought into the country. Certain medical and educational activity by missionaries was permitted as long as missionaries did not proselytize. Members of all religions and religious groups were free to maintain links with coreligionists abroad and undertake foreign travel for religious purposes.

The Government expects all imams to preach sermons within the parameters of standardized texts distributed monthly by the Ministry of Awqaf and Religious Affairs. The Government monitors mosque sermons to ensure that imams did not discuss political topics or instigate religious hatreds or divisions and stay within the state approved orthodoxy of Islam. The Government also monitored sermons of non-Muslim clergy.

For a more detailed discussion, see the [2003 International Religious Freedom Report](http://www.state.gov/g/drl/rls/hrrpt/2003/27935pf.htm).

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The law does not provide for these rights, and the Government partially restricted these rights in practice. The Government did not restrict travel by citizens within the country except to military areas. The law does not restrict women from foreign travel.

The Basic Charter prohibits the extradition of political refugees, and there were no reports of the forced return of persons to a country where they feared persecution. The issue of the provision of temporary protection did not arise during the year. Tight control over the entry of foreigners into the country effectively limited refugees and prospective asylum seekers from entering. Illegal immigrants numbering in the hundreds or thousands, primarily from Iran, Pakistan and Afghanistan, are apprehended annually by the Royal Omani Police. The detainees are held in special detention centers until their deportation can be arranged. The Government seeks advice from U.N. High Commissioner for Refugees (UNHCR). The law provides for the granting of refugee status or asylum to persons who meet the definition in the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. In practice, the Government provides protection against refoulement, but does not routinely grant refugee or asylum status.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

Citizens do not have the right to change their government. The Sultan retains ultimate authority on all foreign and domestic issues.

The country's Basic Charter (or the Basic Law) provides for many basic human rights. Although it is considered to have immediate force of law, laws and regulations to implement some provisions have not been enacted. While family, judicial, administrative, and financial implementing legislation were enacted, others have yet to be promulgated. In cases where there is no implementing legislation, judges render judgment according to the principles of the Basic Charter. The responsibilities delineated in the Charter became effective when it was enacted in 1996.

The law does not provide for political parties or direct elections, except to the Consultative Council. Citizens had indirect access to senior officials through the traditional practice of petitioning their patrons, usually the local governor, for redress of grievances. The Sultan appointed the governors. Successful redress depended on the effectiveness of a patron's access to appropriate decision makers. The Sultan and his ministers made an annual 3-week tour of the country, to listen directly to his subjects' concerns.

Citizens 21 years or older may vote; however, government employees in the military and security services are not permitted to vote. During the year, over 800,000 citizens were eligible to register to vote, of which approximately 226,000 did so. A total of 506 candidates, including 15 women, competed for the 83 Council seats. In October Majlis al-Shura elections, approximately 74 percent of registered voters, or roughly 194,000 persons turned out. Of the 15 women candidates competing, two were elected. A royal decree October 19 also reappointed the incumbent President of the Majlis al-Shura, although the Majlis elected from within its membership two Vice Presidents. In 2000, the number of eligible female voters increased from 5,000 to 52,000. In August 2000, a royal decree abolished the prior procedure under which voters (or electors) had volunteered as candidates for Consultative Council seats, had their police records checked by the Government, and relied on government approval of their decision to run. Candidates were not subject to government scrutiny, and the Sultan no longer ratified winning candidates; however, the Sultan controlled the process.

The Consultative Council has no formal legislative powers, which remain concentrated in the Sultan's hands; however, it served as a conduit of information between the citizens and the government ministries. No serving government official was eligible to be a Consultative Council member. The Consultative Council may question government ministers in public or in private, review all draft laws on social and economic policy, and recommend legislative changes to the Sultan, who makes the final decision. The Consultative Council can recommend new laws or changes to existing ones, and has the authority to study the Five-year Development Plan and monitor its implementation. During the year, the membership of the Majlis Al-Dawla, or State Council, increased from 53 to 57 members, including 8 female members. The precise responsibilities of the State Council and its relationship to the existing Consultative Council have yet to be clarified. The State Council and the Consultative Council together form the Majlis Oman, or Council of Oman. On October 19, a Royal Decree extended the term of office for Members of the Council to four years.

Eight women serve in the 57-seat State Council. In March, a woman was appointed to a ministerial rank for the first time and on October 4 elections, two women were elected to the Majlis al-Shura or Consultative Council. Women held other senior government positions, including four undersecretaries and one ambassador. Three women serve on the 12-member Main Election Committee of the Consultative Council.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The Government prohibited the establishment of human rights NGOs, and there were no government-controlled or autonomous human rights entities in the country.

There were no visits to the country by U.N. or international human rights organizations.

Section 5 Discrimination Based on Race, Sex, Disability, Language, or Social Status

The Basic Charter prohibits discrimination on the basis of sex, ethnic origin, race, language, sect, place of residence, and social class. Effective government enforcement was insufficient in some areas, and societal and cultural discrimination based on gender, race, social class, and disability existed.

While there were no reports of official discrimination against persons with HIV/AIDS, societal attitudes in Oman remained conservative and fearful towards persons with the disease. The Ministry of Health has declared AIDS awareness to be a top priority. A "Peer Education" pilot project was initiated in the Muscat area in 2002 to improve awareness and education on the disease among secondary and post-secondary students and other youth, and was expanded to three other regions during the year. The Ministry employs 72 male and female counselors throughout the country to educate the public and help ease the social stigma surrounding HIV/AIDS.

Women

The law does not specifically address domestic violence against women; however, Shari'a prohibits all forms of physical abuse. There was no evidence of a pattern of spousal abuse, although observers claimed that allegations of such abuse in the Shari'a courts were not uncommon and conversations with local observers indicated that domestic violence was a real concern. Doctors did not have a legal responsibility to report either spousal or child abuse to the courts, but they can and do summon police in instances where they deem a crime likely to have been perpetrated. Battered women may file a complaint with the police but often sought family intervention to protect them from violent domestic situations. Likewise, families sought to intervene to keep such problems from public view. There were reports of employers and co-workers physically and sexually abusing domestic servants and harassing hospital nurses without being held accountable for such actions (see Section 6.d.). There were no government programs for abused women.

The law prohibits rape. Shari'a provides no punishment for spousal rape.

Prostitution was illegal, and due to strict cultural norms and immigration controls, was rare.

A few communities still practice female genital mutilation (FGM); however, experts believed that the number of such cases was small and declining annually. There is no law prohibiting FGM.

While progress has been made in changing laws and attitudes, women continued to face many forms of social discrimination. Illiteracy among older women hampered their ability to own property, participate in the modern sector of the economy, or inform themselves of their rights. Government officials frequently denied women land grants or housing loans and preferred to conduct business with a woman's husband or other male relative. Women may own property.

Some aspects of Islamic law and tradition as interpreted in the country also discriminated against women. Shari'a favors male heirs in adjudicating inheritance claims. Many women were reluctant to take an inheritance dispute to court for fear of alienating the family.

Women have equal opportunities for education. The UN reported that in 2000-2001, the ratio of female to male enrollment was equal in primary education, and at the tertiary level, female enrollment exceeded that of males. The Government spent approximately 13 percent of its total budget on education in 2002. According to Government statistics, as of March 2002, 48.5 percent of the total number of students attending public primary and secondary schools were girls. Women constituted 54 percent of entering students at Sultan Qaboos University in 2002. In 2002, 613 women and 581 men received bachelor's degrees as members of the 12th graduating class, while 47 women and 64 men received master's degrees. The university had a quota system with the apparent goal of increasing the number of men studying certain specialties. For example, women reportedly were being limited to 50 percent of the seats in the medical department, and there were no female engineering graduates from Sultan Qaboos University in 2002. The quota system was expected to allow women to constitute a majority in some other departments.

Educated women have attained positions of authority in government, business, and the media. In 2002, approximately 33 percent of all citizen civil servants were women. In both the public and private sectors, women were entitled to maternity leave and equal pay for equal work. The Government, the country's largest employer of women, observed such regulations, as did many private sector employers. However, many educated women still faced job discrimination because prospective employers feared that they might resign to marry or raise families. Female employees have sought administrative redress for alleged denial of promotion in favor of less capable men. According to recently published statistics approximately 24 percent of students who study abroad under the sponsorship of the Ministry of Higher Education were women.

The Ministry of Social Development handles women's affairs. The Ministry provided support for women's affairs through funding of the Oman Women's Association (OWA) and local community development centers (LCDCs). The OWA consisted of 38 chapters, with an active membership of more than 3,000 women. Typical OWA activities included sponsoring health or sociological lectures, kindergarten services, and handicraft-training programs. The OWA also provided an informal counseling and support role for women with divorce-related difficulties, girls forced to marry against their will, and women and girls suffering from domestic abuse. The main purpose of the 50 LCDCs located throughout the country was to encourage women to improve the quality of life for their families and to improve their contributions to the community.

Children

The Government has made the education, health, and general welfare of children a budgetary priority. Primary school education for children, including noncitizen children, was free and universal, but not compulsory. Most children attended school through secondary school, until age 18. The infant mortality rate continued to decline, and comprehensive immunization rates rose. The Government provided free health care for children to age six. There was no pattern of familial or other child abuse, but government officials have publicly called for greater awareness and prevention of child abuse. The Government formed a National Committee on the Rights of the Child to monitor the country's compliance with the U.N. Convention on the Rights of the Child, to which it acceded in 2002.

Child prostitution was not known to occur.

FGM was rare; it was performed mainly on young girls (see Section 5, women).

Persons with Disabilities

There is no legislated or otherwise mandated provision requiring access for persons with disabilities; however, the Government has mandated parking spaces and some ramps for wheelchair access in private and government office buildings and shopping centers. Compliance was voluntary, and is increasingly observed. Students in wheelchairs had easy access to Sultan Qaboos University. Persons with disabilities nevertheless suffered from lack of easy access to some facilities and transportation, hampering economic and social opportunities. The new labor law stipulates that enterprises employing more than 50 persons should have at least 2 percent of the jobs earmarked for disabled persons, however, this regulation was also not widely employed or enforced. There was one government-sponsored rehabilitation center in the capital area and 17 private rehabilitation centers throughout the country. Persons with disabilities, including blind persons, worked in government offices, though in low numbers. While the Government could charge a small fee to citizens seeking government health care, persons with disabilities generally were not charged for physical therapy and prosthetics.

National/Racial/Ethnic Minorities

The Basic Charter prohibits discrimination based on racial or ethnic characteristics. Citizens of African origin claimed that they frequently faced job discrimination in both the public and private sectors, though these allegations have diminished in recent years. Royal Decree 87/2002 ratified the country's accession to the International Convention on the Elimination of All Forms of Racial Discrimination. In 2002, the Ministry of Social Development authorized the formation of social development committees at the local and regional level. UNICEF described the role of the committees, in part, as enhancing awareness of social issues such as disability.

Section 6 Worker Rights

a. The Right of Association

Workers did not have the right to form or to join unions. On April 26, a long awaited Labor Law went into effect. According to the ILO, the country is benefiting from a study for comparative analysis of national laws and practices in light of ILO core conventions currently being undertaken in GCC states. Provisions under the Labor Law permitted workers to form a representational committee that could take care of their interests, represent them in local and international conferences, and defend their rights under the law.

b. The Right to Organize and Bargain Collectively

The Labor Law does not address strikes; however, the April decree details procedures for dispute resolution and removes a 1973 prohibition on strikes. Labor unrest was rare. The law does not provide for the right to collective bargaining; however, it required that employers of more than 50 workers form a joint labor-management committee as a communication forum between the two groups. The implementation of this provision was uneven, and the effectiveness of the committees was questionable. In general the committees discussed such matters as the living conditions at company-provided housing. They were not authorized to discuss wages, hours, or conditions of employment. Such issues were specified in the work contracts signed individually by workers and employers and had to be consistent with the guidelines of the Ministry of Manpower.

The law defines conditions of employment for some citizens and foreign workers. It does not cover domestic servants, temporary workers, or those with work contracts that expire within 3 months.

Work rules must be approved by the Ministry of Manpower and posted conspicuously in the workplace by employers of 15 or more workers; government inspectors occasionally perform random inspections to enforce implementation of these regulations. Similarly any employer with 50 or more workers must establish a grievance procedure. Employees, including foreign workers, may file a grievance with the Labor Welfare Board, which functions as a mediator between employee and employer. Should mediation fail, cases may be referred to court. In some cases, worker representatives filed collective grievances, but individual workers filed most grievances. Lower-paid workers used the procedure regularly. Legal counsel may represent plaintiffs and

defendants in such cases.

There were no export processing zones.

c. Prohibition of Forced or Bonded Labor

The law prohibits forced or bonded labor, including by children; however, there were reports that such practices occurred. The Government did not investigate or enforce the law effectively. Foreign workers at times were placed in situations amounting to forced labor. Employers have withheld documents that release workers from employment contracts and allow them to change employers. Without such a letter, a foreign worker must continue to work for his current employer or become technically unemployed, which was sufficient grounds for deportation. Many foreign workers were not aware of their right to take such disputes before the Labor Welfare Board. Others were reluctant to file complaints for fear of retribution from unscrupulous employers. In most cases brought before it, the Board released the worker from service without deportation and awarded compensation for time worked under compulsion; however, employers faced no penalty other than to reimburse the worker's back wages. Oman has ratified just two of the ILO's eight Fundamental Conventions on worker rights, No. 29 on Forced Labor and No. 182 on the Most Dangerous Forms of Child Labor; it has yet to ratify a second convention on Forced Labor, two on Freedom of Association, two on Discrimination, and another on Child Labor.

d. Status of Child Labor Practices and Minimum Age for Employment

In April, the Government raised the minimum age for children to work from 13 to 15. Children between 15 and 18 years of age may be employed, but cannot work at night, on weekends or holidays. The Ministry of Manpower generally enforced the law; however, in practice, enforcement often did not extend to some small family businesses that employ underage children, particularly in the agricultural and fisheries sectors. Child labor did not exist in any industry.

The law specifically prohibits forced or bonded labor by children, and it was not known to occur.

e. Acceptable Conditions of Work

The Ministry of Manpower issues minimum wage guidelines for various categories of workers. The minimum wage for most citizens is approximately \$260 (100 rials) per month, plus \$52 (20 rials) for transportation and housing. Minimum wage guidelines did not apply to a variety of occupational categories, including small businesses that employed fewer than five persons, the self-employed, domestic servants, dependent family members working for a family firm, and some categories of manual labor. Many foreigners worked in occupations that were exempt from the minimum wage law, and the Government was lax in enforcing minimum wage guidelines, where applicable, for foreign workers employed in menial jobs. However, highly skilled foreign workers were well paid.

The minimum wage was sufficient to provide a decent standard of living for a worker and family. The compensation for foreign manual laborers and clerks was sufficient to cover living expenses and to permit savings to be sent home. The country is setting mandatory targets for "Omanization" (i.e., nationalization of the workforce) in many sectors of the economy. In addition, programs such as the Sanad Fund offer low-interest loans for young Omani entrepreneurs to start their own businesses.

The private sector workweek was 40 to 45 hours and included a rest period from Thursday afternoon through Friday. Government workers have a 35-hour workweek. While the law does not designate the number of days in a workweek, it requires at least one 24-hour rest period per week and mandates overtime pay for hours in excess of 48 per week. Government regulations regarding hours of employment were not always enforced. Employees who worked extra hours without compensation could file a complaint before the Labor Welfare Board, but the Board's rulings were not binding.

Every worker has the right to 15 days of annual leave during the first year of continual employment and 30 days per year thereafter. Employers provide many foreign nationals, including domestic servants, with annual or biannual round-trip tickets to their countries of origin.

The law states that employers must not place their employees in situations involving dangerous work; however, the law does not specifically grant a worker the right to remove himself from dangerous work without jeopardy to his continued employment. All employers were required by law to provide first aid facilities. Work sites with more than 100 employees were required to have a nurse. Employees covered under the Labor Law could recover compensation for injury or illness sustained on the job through employer-provided medical insurance. Inspectors from the Department of Health and Safety of the Directorate of Labor enforced the health and safety standard codes. As required by law, they made regular onsite inspections.

Foreign workers constituted at least 50 percent of the work force and as much as 80 percent of the private sector work force. In the past, there were reports that employers or male coworkers sexually harassed and abused foreign females employed in such positions as domestic servants and hospital nurses. Foreign women employed as domestic servants and garment workers have claimed that their employers withheld their salaries and that government officials were unresponsive to their grievances, due to investigative procedures that disadvantaged the victim. There were reports of employers physically and sexually abusing foreign domestic servants, and employers were not always held accountable for such actions. Foreign women at times had to ask their

Governments' embassies for shelter to escape abuse (see Section 5).

Foreign workers at times found themselves in situations amounting to forced labor (see Section 6.c.).

f. Trafficking in Persons

The law does not prohibit trafficking in persons; however, there were no reports that persons were trafficked to, from, or within the country.